STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

* * * * *

In the matter on the Commission's own motion,)	
regarding regulatory reviews, revisions,)	
determinations, and/or approvals necessary for)	Case No. U-18340
SEMCO ENERGY GAS COMPANY to fully comply)	
with 2008 PA 295.)	
	_)	

At the August 23, 2017 meeting of the Michigan Public Service Commission in Lansing, Michigan.

PRESENT: Hon. Sally A. Talberg, Chairman Hon. Norman J. Saari, Commissioner Hon. Rachael A. Eubanks, Commissioner

ORDER APPROVING SETTLEMENT AGREEMENT

On April 28, 2017, SEMCO Energy Gas Company (SEMCO) filed an application, pursuant to 2008 PA 295 (Act 295), along with supporting testimony and exhibits, requesting approval of its annual report and energy optimization (EO) reconciliation of costs and revenues for the period ended December 31, 2016, revised EO surcharges, and a 2016 EO plan performance incentive award.

A prehearing conference was held on June 20, 2017, before Administrative Law Judge Sharon L. Feldman. SEMCO and the Commission Staff participated in the proceedings. Subsequently, the parties submitted a settlement agreement resolving all issues in the case.

According to the terms of the settlement agreement, attached as Exhibit A, the parties agree that SEMCO complied with Act 295 and met its 2016 gas savings target and that the company's

EO reconciliation and annual report should be approved. The parties further agree that the EO reconciliation of costs and revenues for the year ended December 31, 2016, resulted in a total adjusted net underrecovery of \$817,274. The parties also agree that the company implemented its EO plan during 2016 and met the goals and objectives for the approved performance incentive and that the Commission should therefore authorize SEMCO to collect \$1,197,815 as its 2016 EO plan performance incentive. The parties further agree that, based on the adjusted underrecovery for 2016, the performance incentive, and the sales projections through 2017, the Commission should approve the revised EO surcharges as set forth in Attachment 1 of the settlement agreement beginning with the September billing month. In addition, the parties agree that the proposed duration for collecting the adjusted underrecovery and performance incentive is from September 2017 through August 2018 and will be incremental to the surcharges approved in the amended plan case (Case No. U-18179) and the 2018-2019 plan case (Case No. U-18270). Finally, the parties agree that the settlement agreement is reasonable, in the public interest, consistent with Act 295, and will aid in the expeditious conclusion of the issues in this case. Therefore, the parties agree that the Commission should approve the settlement agreement.

The Commission has reviewed the application, testimony, exhibits, and settlement agreement and finds the settlement agreement is reasonable and in the public interest, and should be approved.

THEREFORE, IT IS ORDERED that:

- A. The settlement agreement, attached as Exhibit A, is approved.
- B. SEMCO Energy Gas Company has complied with 2008 PA 295 and met its 2016 gas saving target, and its energy optimization reconciliation and annual report is approved.

- C. SEMCO Energy Gas Company is authorized to collect \$1,197,815 as its 2016 energy optimization plan performance incentive.
- D. SEMCO Energy Gas Company's revised energy optimization surcharges are approved beginning with the September billing month as set forth in Attachment 1 to this settlement agreement.
- E. The duration for collecting the adjusted underrecovery and performance incentive is from September 2017 through August of 2018 and will be incremental to the surcharges approved in the amended plan case (Case No. U-18179) and the 2018-2019 plan case (Case No. U-18270).
- F. Within 30 days of the date of this order, SEMCO Energy Gas Company shall file tariff sheets substantially similar to those contained in Attachment 1 to this settlement agreement.

The Commission reserves jurisdiction and may issue further orders as necessary.

Any party desiring to appeal this order must do so in the appropriate court within 30 days after issuance and notice of this order, under MCL 462.26. To comply with the Michigan Rules of Court's requirement to notify the Commission of an appeal, appellants shall send required notices to both the Commission's Executive Secretary and to the Commission's Legal Counsel. Electronic notifications should be sent to the Executive Secretary at mpscedockets@michigan.gov and to the Michigan Department of the Attorney General - Public Service Division at pungp1@michigan.gov. In lieu of electronic submissions, paper copies of such notifications may be sent to the Executive Secretary and the Attorney General - Public Service Division at 7109 W. Saginaw Hwy., Lansing, MI 48917.

	MICHIGAN PUBLIC SERVICE COMMISSION
	Sally A. Talberg, Chairman
	Norman J. Saari, Commissioner
	Rachael A. Eubanks, Commissioner
By its action of August 23, 2017.	
Kavita Kale, Executive Secretary	
Ravita Raic, Laccutive Secretary	

STATE OF MICHIGAN

BEFORE THE MICHIGAN PUBLIC SERVICE COMMISSION

In the matter, on the Commission's own motion, regarding regulatory reviews, revisions, determinations, and/or approvals necessary for SEMCO ENERGY, INC., to fully comply)))
Public Act 295 of 2008.)

SETTLEMENT AGREEMENT

Pursuant to Section 78 of the Administrative Procedures Act of 1969 as amended (1969 PA 306, §78; MCL 24.278) (the "APA"), and Rule 431 of the Rules of the Practice and Procedure Before the Commission, R 792.10431, SEMCO Energy Gas Company (the "Company") and the Michigan Public Service Commission ("Commission") Staff ("Staff"), hereby stipulate and agree as follows:

- 1. Pursuant to 2008 PA 295 ("PA 295"), SEMCO Gas filed an application in Case No. U-17790 requesting, among other things, approval of its Energy Optimization ("EO") plan and surcharges. On December 11, 2015, the Commission issued an order in Case No. U-17790 approving the Company's EO plan for the 24-month period of January 2016 through December 2017.
- 2. On April 28, 2017, the Company filed with the Commission an Application that includes the testimony and exhibits of James A. Van Sickle, Jay E. Skillman, Jennifer L. Dennis, and George L. Phillips, asking the Commission to approve: (a) the annual report and reconciliation of the 2016 EO payments and revenues, with a total adjusted net under-recovery of \$817,274; (b) revised EO surcharges as set forth in the exhibits filed with the Company's Application; and (c) the Company's proposal to collect its 2016 EO Plan Performance Incentive Award.

- 3. On June 20, 2017, a prehearing conference was held pursuant to the Commission's Notice of Hearing. The prehearing conference was conducted as a contested case matter pursuant to the APA. At the prehearing conference, the Company presented proof of service of the Notice of Hearing on all cities, incorporated villages, townships, and counties in its service area, and all intervenors in Case No. U-18016. The Company also presented an affidavit evidencing the requisite publication of notice and a proof of service evidencing the requisite mailings. Staff and the Company participated in the proceedings and there were no intervenors.
- 4. The parties have had extensive discussions, and have agreed to enter into this Settlement Agreement recommending approval of the Company's EO reconciliation and annual report. In view of the foregoing, and pursuant to Section 78 of the APA (MCL 24.278), the Company and Staff hereby stipulate and agree as follows:
 - A. Based on the Company's filing, the Company has complied with 2008 PA 295 and met its 2016 gas savings target and its reconciliation and annual report should be approved.
 - B. The Company's reconciliation of the EO costs and revenues for the year ended December 31, 2016 results in a total adjusted net under-recovery of \$817,274.
 - C. The Company's testimony and exhibits demonstrate that the Company implemented its EO plan during 2016 and met the goals and objectives for the approved performance incentive. The Commission should authorize the Company to collect \$1,197,815 as its 2016 EO Plan Performance Incentive.

- D. Based on the adjusted under-recovery for 2016, the performance incentive, and the sales projections through 2017, the Commission should approve the revised EO surcharges beginning with the September billing month as set forth in Attachment 1 to this Settlement Agreement. The rate design in Attachment 1 to this Settlement Agreement includes proposed EO surcharges for the 2017 amendment filed in Case No. U-18179.
- E. The proposed duration for collecting the adjusted under-recovery and performance incentive is from September 2017 through August of 2018 and will be incremental to the surcharges approved in the amended plan case (Case No. U-18179) and 2018-2019 plan case (Case No. U-18270). Attachment 2 to this Settlement Agreement outlines historical and projected EWR surcharges by component.
- 5. All the signatories agree that this Settlement Agreement is reasonable, in the public interest, consistent with 2008 PA 295, and will aid in the expeditious conclusion of the issues in this case only. The parties, therefore, respectfully request that the Commission promptly issue an order accepting and approving this Settlement Agreement.
- 6. This Settlement Agreement has been made for the sole express purpose of reaching compromise among the positions of the signatory parties. All offers of settlement and discussions relating to this Settlement Agreement shall be considered privileged as provided in MRE 408. If the Commission approves this Settlement Agreement without modification, neither the parties to this Settlement Agreement nor

the Commission shall use, reference, cite, discuss, or rely upon it for any reason or purpose other than to enforce the Settlement Agreement and Order in the case the Settlement Agreement and Order was entered.

- 7. The parties agree to waive Section 81 of the Administrative Procedures Act of 1969, MCL 24.281, as it applies to this proceeding, if the Commission approves this Settlement Agreement without modification.
- 8. This Settlement Agreement is not severable. Each provision of the Settlement Agreement addressed and other provisions of the Settlement Agreement. Failure to comply with any provision of the Settlement Agreement constitutes failure to comply with the entire Settlement Agreement. If the Commission rejects or modifies this Settlement Agreement or any provision of the Settlement Agreement, the Settlement Agreement shall be withdrawn and shall not constitute any part of the record in this proceeding or be used for any other purpose. Each party agrees not to appeal or otherwise contest any Commission order accepting and approving this Settlement Agreement without modification.
- 9. Consistent with Rule 431 of the Commission's Rules of Practice and Procedure, 2015 MR 1, R 792.10431, the parties agree that this Settlement Agreement, and the order approving it, shall not be used as precedent in future proceedings except for enforcement of the order. This Settlement Agreement is based on the facts and circumstances of this case and is intended as the final disposition of Case No. U-18340 only.

Jason T.

Digitally signed by: Jason T. Hanselman DK; CN = Jason T. Hanselman email = Jashelman@dykema.com C = AD OU = Dykema 'Ggbsell Dnis; 2017.06.11 10;56;33 -05'00'

By: Hanselman

Richard J. Aaron (P35605)
Jason T. Hanselman (P61813)
Dykema Gossett PLLC
Attorneys for SEMCO Energy Gas
Company
201 Townsend, Suite 900
Lansing, MI 48933
(517) 374-9100

Dated: August 11, 2017

Dated: August 11, 2017 By:

Michigan Public Service Commission Staff Amit T. Singh (P75492) Assistant Attorney General 7109 W Saginaw Hwy, 3rd Floor Lansing, MI 48917

Telephone: (517) 284-8140

Attachment 1

M.P.S.C. - No. 1 – Gas SEMCO ENERGY GAS COMPANY

Sheet No. D-2.00

SECTION D GAS SALES SERVICE SURCHARGES

Energy Optimization Program Clause – This clause permits, pursuant to Section 89(2) of 2008 PA 295, recovery of the actual costs of implementing its approved energy optimization plan. This charge is to be on a volumetric basis for all customers. Special contract customers will be billed in the sales and transportation rate class most appropriate to their volumetric throughput.

Energy Optimization Surcharge

Rate Class		Amount	Order No.
Residential		\$0.3111 per Dth	U-18340
	Up to 9 Dth per Month	Remaining Dth per Month	
GS-1	\$2.2729 per Dth	\$0.0001 per Dth	U-18340
GS-2	\$2.2729 per Dth	\$0.0001 per Dth	U-18340
GS-3	\$2.2729 per Dth	\$0.0001 per Dth	U-18340

Sheet No. E-1.00

SECTION E

TRANSPORTATION SERVICE

SURCHARGES

Energy Optimization Program Clause – This clause permits, pursuant to Section 89(2) of 2008 PA 295, recovery of the actual costs of implementing its approved energy optimization plan. This charge is to be on a volumetric basis for all customers. Special contract customers will be billed in the sales and transportation rate class most appropriate to their volumetric throughput.

Energy Optimization Surcharge

Rate Class	<u> </u>	Amount		Order No.
	Up to 2500 Dth per Month	Ren	maining Dth per Mont	<u>h</u>
TR-1	\$0.1662 per Dth		\$0.0001 per Dth	U-18340
TR-2	\$0.1662 per Dth		\$0.0001 per Dth	U-18340
TR-3	\$0.1662 per Dth		\$0.0001 per Dth	U-18340

Attachment 2

Description	Source	7/1/2009 to 7/31/2010	8/1/2010 to 6/30/2011	7/1/2011 to	1/1/2012 to	8/1/2012 to	6/1/2013 to	1/1/2014 to	10/1/2014 to	2/1/2015 to	10/1/2015 to 12/31/2015	1/1/2016 to	8/1/2016 to				
Residential / Dth	(1) U-15893 - initial EO Surcharge (2) U-18293 - 2009 Reconciliation	\$ 0.1520	\$ 0.1520	\$ 0,1520	770172012	775 1750 15	1201/2013	W31/2014	1/3 1/20 13	W31/2013	1231/2013	170 1720 10	12/3 (/20 6	8/31/17	12/31/2017	0/3/1/2010	12/31/2018
	(3) U-18294 - 2010 Reconciliation		\$ 0.0258	\$ 0.0256													
	(4) U-18733 - 2012-2013 Plan (5) U-18754 - 2011 Reconciliation				\$ 0.1789	\$ (0.0094)											
	(8) U-17292 - 2012 Reconcillation					4 (0,0004)	\$ (0,0079)										
	(7) U-17362 -2014-2015 Plan (8) U-17610 - 2013 Reconciliation							\$ 0.1520	\$ 0.1520 \$ (0.0024)		\$ 0,1520						
	(9) U-17362 - 14-15 Amendment (10) U-17643 - 2014 Reconciliation									5 0.0111							
	(11) U-17790 - 2016-2017 Plan										\$ (0.0752)		\$ 0,1782	\$ 0.1528			
	(12) U-18016 - 2015 Reconciliation (13) U-18179 - 16-17 Amendment												\$ 0.106?		\$ 0.2549		
	(14) U-18340 - 2018 Reconciliation (15) U-18270 - 2018-2019 Plan															\$ 0.0582 \$ 0.1953	\$ 0,1953
	Amount Charged	\$ 0.1520	5 0.1778	\$ 0.1776	\$ 0.1789	\$ 0.1895	\$ 0.1110	\$ 0,1520	\$ 0.1498	\$ 0.1831	\$ 0.0788	\$ 0.1782	\$ 0.2849	\$ 0,1528	\$ 0,3111	\$ 0.2515	\$ 0,1953
GS-1 / Meter	(1) U-15893 - Initial EO Surcharge	\$ 2.41	\$ 2.41	\$ 2.41													
	(2) U-16293 - 2009 Reconciliation (3) U-16294 - 2010 Reconciliation		5 -	\$ 5 (0.07)													
	(4) U-16733 - 2012-2013 Plan (5) U-16754 - 2011 Reconciliation			(0.1.)	\$ 6.35												
	(6) U-17292 - 2012 Reconciliation					\$ (0.11)	S (0.51)	ı									
GS-1 / Dth First 9 Dth / Month	(7) U-17382 -2014-2015 Plan (8) U-17610 - 2013 Reconcillation								\$ 1.0024 \$ (0.0514)		\$ 1.0024						
	(9) U-17362 - 14-15 Amendment (10) U-17843 - 2014 Reconciliation								4 (0.0014)	\$ 0,0525							
	(11) U-17790 - 2016-2017 Plan										\$ (0.4708)		\$ 1.2093	\$ 1.0774			
	(12) U-18016 - 2015 Reconciliation (13) U-18179 -16-17 Amendment												\$ 1.1578		\$ 2,0537		
	(14) U-18340 - 2016 Reconcillation (15) U-18270 - 2016-2019 Plan															\$ 0.2192	F 4504
	Amount Charged	\$ 2.4100	\$ 2.4100	\$ 2.3400	\$ 8.3500	\$ 5,2400	\$ 5.8400	\$ 1.0024	\$ 0.9510	\$ 1.0849	\$ 0,6310	\$ 1.2003	\$ 2.3671	\$ 1.0774	\$ 2,2720	\$ 1,4591 \$ 1,8783	\$ 1,4591 \$ 1,4691
GS-2 / Meter	(1) U-15893 - Initial EO Surcharge	\$ 13.04	S 13,94														
	(2) U-16293 - 2009 Reconciliation (3) U-16294 - 2010 Reconciliation		\$ (0.66) \$ - \$ (0.57)													
	(4) U-10733 - 2012-2013 Plan (5) U-18754 - 2011 Reconciliation			. ,,	\$ 6.35												
GS-2 / Dih	(B) U-17292 - 2012 Reconciliation					\$ (0.11)	\$ (0.51)										
First 9 Dth / Month	(7) U-17362 -2014-2015 Plan (8) U-17610 - 2013 Reconciliation							\$ 1.0024	\$ 1.0024 \$ (0.0514)	\$ 1.0024	\$ 1.0024						
	(9) U-17362 - 14-15 Amendment (10) U-17843 - 2014 Reconciliation									\$ 0.0525	\$ (0.4706)						
	(11) U-17790 - 2016-2017 Plan (12) U-18018 - 2015 Reconciliation										3 (0.4706)	\$ 1.2093		\$ 1.0774			
	(13) U-18179 -16-17 Amendment												\$ 1.1578		\$ 2.0537		
	(14) U-18340 - 2016 Reconciliation (15) U-18270 - 2018-2019 Plan														5 0.2192	\$ 0.2192 \$ 1.4591	\$ 1,4591
	Amount Charged	\$ 13.94	\$ 13.26	5 13.37	\$ 6,35	5 8.24	\$ 5.64	\$ 1.0024	\$ 0.9510	\$ 1.0849	\$ 0.5316	\$ 1,2093	\$ 2.3571	5 1.0774	\$ 2.2729		
GS-3 / Meter		\$ 66,09															
	(2) U-18293 - 2009 Reconciliation (3) U-18294 - 2010 Reconciliation		\$ 1.14	\$ (1.92)													
	 (4) U-16733 - 2012-2013 Plan (5) U-16754 - 2011 Reconciliation 				\$ 6,35	\$ 0.35 \$ (0.11)											
GS-3 / Dth	(6) U-17292 - 2012 Reconditation (7) U-17362 -2014-2015 Plan					5 (5.11)	\$ (0.51)		_	_							
First 9 Dih / Month	(8) U-17610 - 2013 Reconcillation							a 1.0024	\$ 1.0024 \$ (0.0514)		\$ 1.0024						
	(9) U-17382 - 14-15 Amendment (10) U-17843 - 2014 Reconciliation									\$ 0.0825	\$ (0.4708)						
	(11) U-17790 - 2016-2017 Plan (12) U-18016 - 2015 Reconciliation										+ (0.7700)		\$ 1.2093	\$ 1.0774			
	(14) U-18179 -16-17 Amendment (13) U-18340 - 2016 Reconcillation												\$ 1,1578		\$ 2.0537		
	(15) U-19270 - 2018-2019 Plan														\$ 0.2192	\$ 0,2192 \$ 1,4591	\$ 1,4591
	Amount Charged	\$ 86.00	\$ 67,23	\$ 64.17	\$ 6.35	\$ 6.24	\$ 5.84	\$ 1.0024	\$ 0.9510	5 1.0849	\$ 0.5310	\$ 1,2093	5 2.3671	\$ 1.0774	\$ 2.2729		

SEMCO ENERGY Gas Company Historical and Projected EWR Surcharges

Attachment 2 Page 2 of 2

Description	Source		31/2010	6/3	0/2011	12/31/2							9/31/2014		31/2015					7/31/2018		/31/2010	8/3	31/17	12/31/2017	9/31/2018		1/2018
TR-1 / Maler	(1) U-15893 - Initial EO Surcharge	s	30,66	5	30.56	2 30																						
	(2) U-16293 - 2009 Reconciliation			\$	(3.72)		-																					
	(3) U-16294 - 2010 Reconciliation					\$ (24																						
	(4) U-16733 - 2012-2013 Plan							87.46			5	87,46																
	(5) U-10754 - 2011 Reconciliation								\$	3.33																		
TR-1 / Dth	(8) U-17292 - 2012 Reconcillation										\$	(1.49)				_	_		_									
First 2500 Dth / Month	(7) U-17362 -2014-2015 Plan												\$ 0.0856			2 6	0,0656	S	0,0656									
FIRST 2000 Dell'i Molleli	(8) U-17610 - 2013 Reconcillation (9) U-17362 - 14-15 Amendment													5	(0.0080)													
	(10) U-17843 - 2014 Reconciliation															≯ (U	0.0064)		(o nano)									
	(11) U-17790 - 2016-2017 Plan																	•	(0,0682)	\$ 0,0652		A 04FB0		00000				
	(12) U-18018 - 2015 Reconciliation																			3 U,U002		0.03042	3 U	UCOOU				
	(13) U-18179 -16-17 Amendment																				•	0.00072			\$ 0.11049			
	(14) U-18340 - 2016 Reconcillation																									\$ 0.05574		
	(15) U-18270 - 2018-2019 Plan																									\$ 0.1001	5	0.1001
	Amount Charged	\$	30,50	5	26.64	S 5	5.96 5	87.46	5	90.79	3	85.97	\$ 0.0656	s	0.0576	S 0	0.0592	5	(0.0006)	\$ 0.0652		0.0956	5	0.0586	\$ 0.1662	\$ 0.1558		0,1001
																			,,									
IR-2/Meter	(1) U-15893 - Initial EO Surcharge	5	93.98	\$	93,98	\$ 93	89.6																					
	(2) U-16293 - 2009 Reconciliation			3	(4.28)		-																					
	(3) U-16294 - 2010 Reconcillation					\$ (60																						
	(4) U-16733 - 2012-2013 Plan (5) U-16754 - 2011 Reconcillation						•	87.46			5	B7.48																
	(6) U-17292 - 2012 Reconciliation								. 3	3.33	s	44 (6)																
TR-2 / Dth	(7) U-17362 -2014-2015 Plan										3	(1.49)	5 0,0656	•	0.0656		0.0858		0.0858									
First 2500 Dth / Month	(8) U-17610 - 2013 Reconciliation												4 0.0000		(0,0000)		0.5650	*	0.0000									
	(9) U-17362 - 14-15 Amendment													•	(0.0000)		0.0084)											
	(10) U-17843 - 2014 Reconcillation															- (-	,		(0,0662)									
	(11) U-17790 - 2016-2017 Plan																		, ,	\$ 0.0852		0.06520	\$ 0	.05850				
	(12) U-18018 - 2018 Reconciliation																				5	0.03042						
	(13) U-18179 -16-17 Amendment																								\$ 0.11049			
	(14) U-18340 - 2016 Reconcillation																								\$ 0.05574	\$ 0.05574		
	(16) U-18270 - 2018-2019 Plan Amount Charged			_					_		_			_		_					_		_			\$ 0.1001		0,1001
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TR-3 / Meter	(1) U-15693 - Initial EO Surcharge	\$	107.18		197.26	\$ 197	7 72																					
	(2) U-16293 - 2009 Reconciliation		101.20		110.32		- 20																					
	(3) U-16294 - 2010 Reconciliation			•	7 10.01	\$ 155	5.52																					
	(4) U-16733 - 2012-2013 Plan							B7,46	2	87,46	5	67,48																
	(5) U-16754 - 2011 Reconciliation								S	3.33	-																	
	(8) U-17292 - 2012 Reconditation										5	(1.49)																
TR-3 / Dth	(7) U-17362 -2014-2015 Plan												\$ 0.0656		0.0858		0.0656	S	0.0856									
First 2500 Dth / Month	(8) U-17610 - 2013 Reconditation													\$	(0.0080)													
	(9) U-17362 - 14-15 Amendment															S (0	0.0084)											
	(10) U-17843 - 2014 Reconciliation (11) U-17790 - 2016-2017 Plan																	S	(0.0862)		_							
	(12) U-18016 - 2015 Reconditation																			\$ 0.0052			5 0	1.05850				
	(13) U-18179 -16-17 Amendment																				4	0,03042			\$ 0,11049			
	(14) U-18340 - 2016 Reconciliation																									\$ 0.05574		
	(15) U-18270 - 2018-2019 Plan																								+ 0,00014	\$ 0.1001		0.1001
	Amount Charged	\$	197.26	S	313,5B	\$ 352	2.78 5	87.46	s	90.79	2	65,97	\$ 0,0050	\$	0.0576	s c	0.0592	S	(8000.0)	\$ 0.0052	· s	0.0956	\$	0.0585	\$ 0.1662	\$ 0.1558		0.1001